

ASSEMBLY BILL

No. 1567

**Introduced by Assembly Member Correa
(Principal coauthor: Assembly Member Firebaugh)
(Coauthors: Assembly Members Bermudez and Maddox)**

February 21, 2003

An act to amend Sections 830.2, 830.3, 830.37, 830.4, and 830.11 of, and to repeal Section 830.38 of, the Penal Code, relating to peace officers.

LEGISLATIVE COUNSEL'S DIGEST

AB 1567, as introduced, Correa. Peace officers: classification.

Existing law provides that specified persons are peace officers whose authority extends to any place in the state provided that the primary duty of the peace officers is the enforcement of specified laws. Existing law provides that a separate group of persons are peace officers whose authority extends to any place in the state for the purpose of performing their primary duty or making an arrest as to any public offense with respect to which there is immediate danger to person or property, or of the escape of the perpetrator of that offense, or in a state of emergency. Existing law authorizes this classification of peace officers to carry firearms only if authorized and under those terms and conditions as specified by their employing agencies. Other provisions designate various other persons as peace officers with various jurisdictions and authority. Still other provisions classify persons who are not peace officers, but are given certain of the powers of peace officers in limited situations.

This bill would reclassify persons whose status as peace officers in current law carries generally less, or more circumscribed jurisdiction

and authority into a classification providing that their authority extends to any place in the state provided that the primary duty of the peace officers is the enforcement of law within the jurisdiction of their appointing powers, with specified exceptions. For some of these reclassified peace officers, the bill would require that their primary duties shall include performing necessary duties with respect to patrons, employees, and properties of the peace officers' employing agencies. It would also reclassify as peace officers certain persons who are not peace officers, but have some limited peace officer powers in certain circumstances. The officers reclassified by this bill are all in state employment, and would be placed under new, broad categories called state investigators and state marshals and police. Limitations on their authority to carry weapons would not be applicable. The bill would make related changes.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 830.2 of the Penal Code is amended to
- 2 read:
- 3 830.2. The following persons are peace officers whose
- 4 authority extends to any place in the state:
- 5 (a) Any member of the Department of the California Highway
- 6 Patrol including those members designated under subdivision (a)
- 7 of Section 2250.1 of the Vehicle Code, provided that the primary
- 8 duty of the peace officer is the enforcement of any law relating to
- 9 the use or operation of vehicles upon the highways, or laws
- 10 pertaining to the provision of police services for the protection of
- 11 state officers, state properties, and the occupants of state
- 12 properties, or both, as set forth in the Vehicle Code and
- 13 Government Code.
- 14 (b) A member of the University of California Police
- 15 Department appointed pursuant to Section 92600 of the Education
- 16 Code, provided that the primary duty of the peace officer shall be
- 17 the enforcement of the law within the area specified in Section
- 18 92600 of the Education Code.
- 19 (c) A member of the California State University Police
- 20 Departments appointed pursuant to Section 89560 of the
- 21 Education Code, provided that the primary duty of the peace



1 officer shall be the enforcement of the law within the area specified
2 in Section 89560 of the Education Code.

3 (d) (1) Any member of the Law Enforcement and
4 Investigations Unit of the Department of Corrections, provided
5 that the primary duties of the peace officer shall be the
6 investigation or apprehension of parolees, parole violators, or
7 escapees from state institutions, the transportation of those
8 persons, and the coordination of those activities with other
9 criminal justice agencies.

10 (2) Any member of the Office of Internal Affairs of the
11 Department of Corrections, provided that the primary duties shall
12 be criminal investigations of Department of Corrections personnel
13 and the coordination of those activities with other criminal justice
14 agencies. For purposes of this subdivision the member of the
15 Office of Internal Affairs shall possess certification from the
16 Commission on Peace Officer Standards and Training for
17 investigators, or have completed training pursuant to Section
18 6126.1 of the Penal Code.

19 (e) Employees of the Department of Fish and Game designated
20 by the director, provided that the primary duty of those peace
21 officers shall be the enforcement of the law as set forth in Section
22 856 of the Fish and Game Code.

23 (f) Employees of the Department of Parks and Recreation
24 designated by the director pursuant to Section 5008 of the Public
25 Resources Code, provided that the primary duty of the peace
26 officer shall be the enforcement of the law as set forth in Section
27 5008 of the Public Resources Code.

28 (g) The Director of Forestry and Fire Protection and employees
29 or classes of employees of the Department of Forestry and Fire
30 Protection designated by the director pursuant to Section 4156 of
31 the Public Resources Code, provided that the primary duty of the
32 peace officer shall be the enforcement of the law as that duty is set
33 forth in Section 4156 of the Public Resources Code.

34 ~~(h) Persons employed by the Department of Alcoholic~~
35 ~~Beverage Control for the enforcement of Division 9 (commencing~~
36 ~~with Section 23000) of the Business and Professions Code and~~
37 ~~designated by the Director of Alcoholic Beverage Control,~~
38 ~~provided that the primary duty of any of these peace officers shall~~
39 ~~be the enforcement of the laws relating to alcoholic beverages, as~~

1 ~~that duty is set forth in Section 25755 of the Business and~~
2 ~~Professions Code.~~

3 ~~(i) Marshals and police appointed by the Board of Directors of~~
4 ~~the California Exposition and State Fair pursuant to Section 3332~~
5 ~~of the Food and Agricultural Code, provided that the primary duty~~
6 ~~of the peace officers shall be the enforcement of the law as~~
7 ~~prescribed in that section. Any state investigator employed by the~~
8 ~~state, provided that the primary duty of these peace officers shall~~
9 ~~be the enforcement of law relating to the state agency or~~
10 ~~department that employs them. State investigators shall include all~~
11 ~~of the persons designated by the following agency and division~~
12 ~~heads, or other appointing authorities, with regard to the~~
13 ~~enforcement of laws within the jurisdiction of each:~~

- 14 (1) *The Director of Alcoholic Beverage Control.*
15 (2) *The Director of Consumer Affairs.*
16 (3) *The Director of Motor Vehicles.*
17 (4) *The California Horse Racing Board.*
18 (5) *The State Fire Marshal.*
19 (6) *The Chief of the Food and Drug Section of the State*
20 *Department of Health Services.*
21 (7) *The Labor Commissioner.*
22 (8) *The directors of the following departments and offices:*
23 (A) *The State Department of Health Services.*
24 (B) *The State Department of Social Services.*
25 (C) *The State Department of Mental Health.*
26 (D) *The Department of Developmental Services.*
27 (E) *The Department of Alcohol and Drug Programs.*
28 (F) *The Department of Toxic Substances Control.*
29 (G) *The Office of Statewide Health Planning and*
30 *Development.*
31 (H) *The Public Employees' Retirement System.*
32 (9) *The Chief of the Bureau of Fraudulent Claims.*
33 (10) *The Director of the Department of Housing and*
34 *Community Development.*
35 (11) *The Controller.*
36 (12) *The Commissioner of Corporations.*
37 (13) *The Director of the Office of Emergency Services.*
38 (14) *The Secretary of State.*
39 (15) *The Deputy Director for Security of the California State*
40 *Lottery.*

1 (16) *The Director of Employment Development.*

2 (17) *The Franchise Tax Board.*

3 (18) *The Director of the Department of Managed Health Care.*

4 (19) *The Chief of the Investigations Bureau of the Department*
5 *of Insurance.*

6 (i) *Marshals and police employed by the state provided that the*
7 *primary duties of these peace officers shall be the enforcement of*
8 *law relating to the state agency or department which employs*
9 *them, and performing necessary duties with respect to patrons,*
10 *employees, and properties of their employing agencies. State*
11 *marshals and police shall include all of the persons designated by*
12 *the following agency and division heads, or other appointing*
13 *authorities, with regard to the enforcement of laws within the*
14 *jurisdiction of each:*

15 (1) *The Director of Mental Health.*

16 (2) *The Director of Developmental Services.*

17 (3) *The Executive Director of the California Science Center.*

18 (4) *The Board of Directors of the California Exposition and*
19 *State Fair.*

20 (5) *The Commissioner of Financial Institutions.*

21 (6) *The Commissioner of Real Estate.*

22 (7) *The Executive Officer of the State Lands Commission.*

23 (8) *The Executive Officer of the Military Department.*

24 (9) *The Attorney General.*

25 (j) *People made peace officers by Section 830.1 who are also*
26 *appointed by authorities listed in subdivisions (h) and (i) shall be*
27 *considered peace officers as provided in Section 830.1.*

28 (k) *The Inspector General, pursuant to Section 6125, and the*
29 *Chief Deputy Inspector General In Charge, the Senior Deputy*
30 *Inspector General, the Deputy Inspector General, and those*
31 *employees of the Inspector General as designated by the Inspector*
32 *General, are peace officers, provided that the primary duty of these*
33 *peace officers shall be conducting audits of investigatory practices*
34 *and other audits, as well as conducting investigations, of the*
35 *Department of Corrections, the Department of the Youth*
36 *Authority, the Board of Prison Terms, the Youthful Offender*
37 *Parole Board, or the Board of Corrections.*

38 SEC. 2. Section 830.3 of the Penal Code is amended to read:

39 830.3. ~~The following persons—~~(a) *Voluntary fire wardens*
40 *designated by the Director of Forestry and Fire Protection*

1 pursuant to Section 4156 of the Public Resources Code are peace
2 officers whose authority extends to any place in the state for the
3 purpose of performing their primary duty or when making an
4 arrest pursuant to Section 836 of the Penal Code as to any public
5 offense with respect to which there is immediate danger to person
6 or property, or of the escape of the perpetrator of that offense, or
7 pursuant to Section 8597 or 8598 of the Government Code,
8 *provided that the primary duty of these peace officers shall be the*
9 *enforcement of the law as that duty is set forth in Section 4156 of*
10 *the Public Resources Code.* These peace officers may carry
11 firearms only if authorized and under those terms and conditions
12 as specified by their employing agencies:

13 ~~(a) Persons employed by the Division of Investigation of the~~
14 ~~Department of Consumer Affairs and investigators of the Medical~~
15 ~~Board of California and the Board of Dental Examiners, who are~~
16 ~~designated by the Director of Consumer Affairs, provided that the~~
17 ~~primary duty of these peace officers shall be the enforcement of the~~
18 ~~law as that duty is set forth in Section 160 of the Business and~~
19 ~~Professions Code. The Director of Consumer Affairs shall~~
20 ~~designate as peace officers seven persons who shall at the time of~~
21 ~~their designation be assigned to the investigations unit of the Board~~
22 ~~of Dental Examiners.~~

23 ~~(b) Voluntary fire wardens designated by the Director of~~
24 ~~Forestry and Fire Protection pursuant to Section 4156 of the Public~~
25 ~~Resources Code, provided that the primary duty of these peace~~
26 ~~officers shall be the enforcement of the law as that duty is set forth~~
27 ~~in Section 4156 of that code.~~

28 ~~(c) Employees of the Department of Motor Vehicles designated~~
29 ~~in Section 1655 of the Vehicle Code, provided that the primary~~
30 ~~duty of these peace officers shall be the enforcement of the law as~~
31 ~~that duty is set forth in Section 1655 of that code.~~

32 ~~(d) Investigators of the California Horse Racing Board~~
33 ~~designated by the board, provided that the primary duty of these~~
34 ~~peace officers shall be the enforcement of Chapter 4 (commencing~~
35 ~~with Section 19400) of Division 8 of the Business and Professions~~
36 ~~Code and Chapter 10 (commencing with Section 330) of Title 9 of~~
37 ~~Part 1 of this code.~~

38 ~~(e) The State Fire Marshal and assistant or deputy state fire~~
39 ~~marshals appointed pursuant to Section 13103 of the Health and~~
40 ~~Safety Code, provided that the primary duty of these peace officers~~

1 ~~shall be the enforcement of the law as that duty is set forth in~~
2 ~~Section 13104 of that code.~~

3 ~~(f) Inspectors of the food and drug section designated by the~~
4 ~~chief pursuant to subdivision (a) of Section 106500 of the Health~~
5 ~~and Safety Code, provided that the primary duty of these peace~~
6 ~~officers shall be the enforcement of the law as that duty is set forth~~
7 ~~in Section 106500 of that code.~~

8 ~~(g) All investigators of the Division of Labor Standards~~
9 ~~Enforcement designated by the Labor Commissioner, provided~~
10 ~~that the primary duty of these peace officers shall be the~~
11 ~~enforcement of the law as prescribed in Section 95 of the Labor~~
12 ~~Code.~~

13 ~~(h) All investigators of the State Departments of Health~~
14 ~~Services, Social Services, Mental Health, Developmental~~
15 ~~Services, and Alcohol and Drug Programs, the Department of~~
16 ~~Toxic Substances Control, the Office of Statewide Health~~
17 ~~Planning and Development, and the Public Employees'~~
18 ~~Retirement System, provided that the primary duty of these peace~~
19 ~~officers shall be the enforcement of the law relating to the duties~~
20 ~~of his or her department, or office. Notwithstanding any other~~
21 ~~provision of law, investigators of the Public Employees'~~
22 ~~Retirement System shall not carry firearms.~~

23 ~~(i) The Chief of the Bureau of Fraudulent Claims of the~~
24 ~~Department of Insurance and those investigators designated by the~~
25 ~~chief, provided that the primary duty of those investigators shall~~
26 ~~be the enforcement of Section 550.~~

27 ~~(j) Employees of the Department of Housing and Community~~
28 ~~Development designated under Section 18023 of the Health and~~
29 ~~Safety Code, provided that the primary duty of these peace officers~~
30 ~~shall be the enforcement of the law as that duty is set forth in~~
31 ~~Section 18023 of that code.~~

32 ~~(k) Investigators of the office of the Controller, provided that~~
33 ~~the primary duty of these investigators shall be the enforcement of~~
34 ~~the law relating to the duties of that office. Notwithstanding any~~
35 ~~other law, except as authorized by the Controller, the peace officers~~
36 ~~designated pursuant to this subdivision shall not carry firearms.~~

37 ~~(l) Investigators of the Department of Corporations designated~~
38 ~~by the Commissioner of Corporations, provided that the primary~~
39 ~~duty of these investigators shall be the enforcement of the~~
40 ~~provisions of law administered by the Department of~~

~~1 Corporations. Notwithstanding any other provision of law, the~~
~~2 peace officers designated pursuant to this subdivision shall not~~
~~3 carry firearms.~~

~~4 (m) Persons employed by the Contractors' State License Board~~
~~5 designated by the Director of Consumer Affairs pursuant to~~
~~6 Section 7011.5 of the Business and Professions Code, provided~~
~~7 that the primary duty of these persons shall be the enforcement of~~
~~8 the law as that duty is set forth in Section 7011.5, and in Chapter~~
~~9 9 (commencing with Section 7000) of Division 3, of that code. The~~
~~10 Director of Consumer Affairs may designate as peace officers not~~
~~11 more than three persons who shall at the time of their designation~~
~~12 be assigned to the special investigations unit of the board.~~
~~13 Notwithstanding any other provision of law, the persons~~
~~14 designated pursuant to this subdivision shall not carry firearms.~~

~~15 (n) The chief and coordinators of the Law Enforcement~~
~~16 Division of the Office of Emergency Services.~~

~~17 (o) Investigators of the office of the Secretary of State~~
~~18 designated by the Secretary of State, provided that the primary~~
~~19 duty of these peace officers shall be the enforcement of the law as~~
~~20 prescribed in Chapter 3 (commencing with Section 8200) of~~
~~21 Division 1 of Title 2 of, and Section 12172.5 of, the Government~~
~~22 Code. Notwithstanding any other provision of law, the peace~~
~~23 officers designated pursuant to this subdivision shall not carry~~
~~24 firearms.~~

~~25 (p) The Deputy Director for Security designated by Section~~
~~26 8880.38 of the Government Code, and all lottery security~~
~~27 personnel assigned to the California State Lottery and designated~~
~~28 by the director, provided that the primary duty of any of those~~
~~29 peace officers shall be the enforcement of the laws related to~~
~~30 assuring the integrity, honesty, and fairness of the operation and~~
~~31 administration of the California State Lottery.~~

~~32 (q) Investigators employed by the Investigation Division of the~~
~~33 Employment Development Department designated by the director~~
~~34 of the department, provided that the primary duty of those peace~~
~~35 officers shall be the enforcement of the law as that duty is set forth~~
~~36 in Section 317 of the Unemployment Insurance Code.~~

~~37 Notwithstanding any other provision of law, the peace officers~~
~~38 designated pursuant to this subdivision shall not carry firearms.~~

~~39 (r) The chief and assistant chief of museum security and safety~~
~~40 of the California Science Center, as designated by the executive~~

1 ~~director pursuant to Section 4108 of the Food and Agricultural~~
2 ~~Code, provided that the primary duty of those peace officers shall~~
3 ~~be the enforcement of the law as that duty is set forth in Section~~
4 ~~4108 of the Food and Agricultural Code.~~

5 ~~(s) Employees of the Franchise Tax Board designated by the~~
6 ~~board, provided that the primary duty of these peace officers shall~~
7 ~~be the enforcement of the law as set forth in Chapter 9~~
8 ~~(commencing with Section 19701) of Part 10.2 of Division 2 of the~~
9 ~~Revenue and Taxation Code.~~

10 ~~(t)~~

11 ~~(b) Notwithstanding any other provision of this section, a peace~~
12 ~~officer authorized by this section shall not be authorized to carry~~
13 ~~firearms by his or her employing agency until that agency has~~
14 ~~adopted a policy on the use of deadly force by those peace officers,~~
15 ~~and until those peace officers have been instructed in the~~
16 ~~employing agency's policy on the use of deadly force.~~

17 ~~Every peace officer authorized pursuant to this section to carry~~
18 ~~firearms by his or her employing agency shall qualify in the use of~~
19 ~~the firearms at least every six months.~~

20 ~~(u) Investigators of the Department of Managed Health Care~~
21 ~~designated by the Director of the Department of Managed Health~~
22 ~~Care, provided that the primary duty of these investigators shall be~~
23 ~~the enforcement of the provisions of laws administered by the~~
24 ~~Director of the Department of Managed Health Care.~~
25 ~~Notwithstanding any other provision of law, the peace officers~~
26 ~~designated pursuant to this subdivision shall not carry firearms.~~

27 SEC. 3. Section 830.37 of the Penal Code is amended to read:

28 830.37. The following persons are peace officers whose
29 authority extends to any place in the state for the purpose of
30 performing their primary duty or when making an arrest pursuant
31 to Section 836 as to any public offense with respect to which there
32 is immediate danger to person or property, or of the escape of the
33 perpetrator of that offense, or pursuant to Section 8597 or 8598 of
34 the Government Code. These peace officers may carry firearms
35 only if authorized and under terms and conditions specified by
36 their employing agency:

37 (a) Members of an arson-investigating unit, regularly paid and
38 employed in that capacity, of a fire department or fire protection
39 agency of a county, city, city and county, ~~or district, or the state,~~
40 if the primary duty of these peace officers is the detection and

1 apprehension of persons who have violated any fire law or
2 committed insurance fraud.

3 (b) Members other than members of an arson-investigating
4 unit, regularly paid and employed in that capacity, of a fire
5 department or fire protection agency of a county, city, city and
6 county, ~~or district, or the state~~, if the primary duty of these peace
7 officers, when acting in that capacity, is the enforcement of laws
8 relating to fire prevention or fire suppression.

9 (c) Voluntary fire wardens as are designated by the Director of
10 Forestry and Fire Protection pursuant to Section 4156 of the Public
11 Resources Code, provided that the primary duty of these peace
12 officers shall be the enforcement of the law as that duty is set forth
13 in Section 4156 of the Public Resources Code.

14 ~~(d) Firefighter/security guards by the Military Department, if
15 the primary duty of the peace officer is the enforcement of the law
16 in or about properties owned, operated, or administered by the
17 employing agency or when performing necessary duties with
18 respect to patrons, employees, and properties of the employing
19 agency.~~

20 SEC. 4. Section 830.38 of the Penal Code is repealed.

21 ~~830.38.—The officers of a state hospital under the jurisdiction
22 of the State Department of Mental Health or the State Department
23 of Developmental Services appointed pursuant to Section 4313 or
24 4493 of the Welfare and Institutions Code, are peace officers
25 whose authority extends to any place in the state for the purpose
26 of performing their primary duty or when making an arrest
27 pursuant to Section 836 as to any public offense with respect to
28 which there is immediate danger to person or property, or of the
29 escape of the perpetrator of that offense, or pursuant to Section
30 8597 or 8598 of the Government Code provided that the primary
31 duty of the peace officers shall be the enforcement of the law as set
32 forth in Sections 4311, 4313, 4491, and 4493 of the Welfare and
33 Institutions Code. Those peace officers may carry firearms only if
34 authorized and under terms and conditions specified by their
35 employing agency.~~

36 SEC. 5. Section 830.4 of the Penal Code is amended to read:

37 830.4. The following persons are peace officers whose
38 authority extends to any place in the state for the purpose of
39 performing their duties under the conditions as specified by
40 statute. Those peace officers may carry firearms only if authorized

1 and under terms and conditions specified by their employing
2 agency.

3 (a) Members of the California National Guard have the powers
4 of peace officers when they are involved in any or all of the
5 following:

6 (1) Called or ordered into active state service by the Governor
7 pursuant to the provisions of Section 143 or 146 of the Military and
8 Veterans Code.

9 (2) Serving within the area wherein military assistance is
10 required.

11 (3) Directly assisting civil authorities in any of the situations
12 specified in Section 143 or 146.

13 The authority of the peace officer under this subdivision extends
14 to the area wherein military assistance is required as to a public
15 offense committed or which there is reasonable cause to believe
16 has been committed within that area. The requirements of Section
17 1031 of the Government Code are not applicable under those
18 circumstances.

19 (b) Guards and messengers of the Treasurer's office when
20 performing assigned duties as a guard or messenger.

21 ~~(c) Security officers of the Department of Justice when~~
22 ~~performing assigned duties as security officers.~~

23 ~~(d)~~ Security officers of Hastings College of the Law. These
24 officers shall have authority of peace officers only within the City
25 and County of San Francisco. Notwithstanding any other
26 provisions of law, the peace officers designated by this subdivision
27 shall not be authorized by this subdivision to carry firearms either
28 on or off duty. Notwithstanding any other provision of law, the act
29 which designated the persons described in this subdivision as
30 peace officers shall serve only to define those persons as peace
31 officers, the extent of their jurisdiction, and the nature and scope
32 of their authority, powers, and duties, and there shall be no change
33 in the status of those persons for purposes of retirement, workers'
34 compensation or similar injury or death benefits, or other
35 employee benefits.

36 SEC. 6. Section 830.11 of the Penal Code is amended to read:

37 830.11. (a) ~~The following persons are not peace officers but~~
38 ~~may exercise the powers of arrest of a peace officer as specified in~~
39 ~~Section 836 and the power to serve warrants as specified in~~
40 ~~Sections 1523 and 1530 during the course and within the scope of~~

1 their employment, if they receive a course in the exercise of those
2 powers pursuant to Section 832. The authority and powers of the
3 persons designated under this section shall extend to any place in
4 the state:

5 ~~(1) Persons employed by the Department of Financial~~
6 ~~Institutions designated by the Commissioner of Financial~~
7 ~~Institutions, provided that the primary duty of these persons shall~~
8 ~~be the enforcement of, and investigations relating to, the~~
9 ~~provisions of law administered by the Commissioner of Financial~~
10 ~~Institutions.~~

11 ~~(2) Persons employed by the Department of Real Estate~~
12 ~~designated by the Real Estate Commissioner, provided that the~~
13 ~~primary duty of these persons shall be the enforcement of the laws~~
14 ~~set forth in Part 1 (commencing with Section 10000) and Part 2~~
15 ~~(commencing with Section 11000) of Division 4 of the Business~~
16 ~~and Professions Code. The Real Estate Commissioner may~~
17 ~~designate persons under this section, who at the time of their~~
18 ~~designation, are assigned to the Special Investigations Unit,~~
19 ~~internally known as the Crisis Response Team.~~

20 ~~(3) Persons employed by the State Lands Commission~~
21 ~~designated by the executive officer, provided that the primary duty~~
22 ~~of these persons shall be the enforcement of the law relating to the~~
23 ~~duties of the State Lands Commission.~~

24 ~~(4) Persons employed as investigators of the Investigations~~
25 ~~Bureau of the Department of Insurance, who are designated by the~~
26 ~~Chief of the Investigations Bureau, provided that the primary duty~~
27 ~~of these persons shall be the enforcement of the Insurance Code~~
28 ~~and other laws relating to persons and businesses, licensed and~~
29 ~~unlicensed by the Department of Insurance, who are engaged in the~~
30 ~~business of insurance.~~

31 ~~(5) Persons employed as investigators and investigator~~
32 ~~supervisors of the Consumer Services Division or the Rail Safety~~
33 ~~and Carrier Division of the Public Utilities Commission who are~~
34 ~~designated by the commission's executive director and approved~~
35 ~~by the commission are not peace officers but may exercise the~~
36 ~~powers of arrest of a peace officer as specified in Section 836 and~~
37 ~~the power to serve warrants as specified in Sections 1523 and 1530~~
38 ~~during the course and within the scope of their employment, if they~~
39 ~~receive a course in the exercise of those powers pursuant to Section~~
40 ~~832, provided that the primary duty of these persons shall be the~~

1 enforcement of the law as that duty is set forth in Section 308.5 of
2 the Public Utilities Code. *The authority and powers of the persons*
3 *designated under this section shall extend to any place in the state.*

4 (b) Notwithstanding any other provision of law, persons
5 designated pursuant to this section shall not carry firearms.

6 (c) Persons designated pursuant to this section shall be included
7 as “peace officers of the state” under paragraph (2) of subdivision
8 (c) of Section 11105 for the purpose of receiving state summary
9 criminal history information and shall be furnished that
10 information on the same basis as peace officers of the state
11 designated in paragraph (2) of subdivision (c) of Section 11105.

